UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,296	06/28/2001	Joseph M. Knoerle	36968-255224	7600

			EXAMINER
36192	7590	07/25/2006	SALAD, ABDULLAHI ELMI

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ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/894,296	KNOERLE ET AL.
	Examiner	**Art Unit**	
	Salad E. Abdullahi	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 June 2006*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9,11-28,30-50 and 52-63* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9,11-28, 30-50 and 52-63* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/15/2006 has been entered.

2.   Applicant's argument with respect claims 1-9, 11-28, 30-50 and 52-63 have been fully considered but are moot in view of new grounds of rejection

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5.   Claims 1-9, 11-28, 30-50 and 52-63 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Xue et al. U.S. Patent No. 6,782,414[hereinafter Xue] in view

of Venkatraman et al., U.S. Patent No. 6,014,688[hereinafter Venkatraman] and further

in view of Doganata U.S. Patent No. 6,728,714[hereinafter Doganata]

As per claim 1, Xue discloses a method for providing a status notification for a message

in a communications network comprising:

(a) assigning a message identifier for said message (see col. 6, lines 46-53);

(b) receiving a destination identifier for communicating said status notification (see col.

7, lines 43-65); and

(c) associating said destination identifier with said message (see fig. 8D and col. 13,

lines 3-14).

Xue is silent regarding:

> wherein said destination identifier comprises an address identifier indicating an
>
> address to which said status notification is to be sent, said address identifier
>
> indicating an address different than originating address for said message, and a
>
> format identifier identifying a format for said status notification.
>
> determining whether accessing of said message constitutes a triggering event
>
> and creating said status notification when said accessing message constitutes
>
> said triggering event.

Venkatraman discloses system for delivering confirmation service to a

user/mailer/sender for specified destination address, wherein said destination identifier

comprises an address identifier (e-mail address) indicating an address to which said

status notification is to be sent, said address identifier indicating an address different

than originating address for said message, and a format identifier identifying a format for

said status notification and determining whether accessing of said message constitutes

a triggering event and creating said status notification when said accessing message

constitutes said triggering event (see figs 14 and 15 and col. 7, line 47 to col. 8, line 24).

Therefore, it would have been obvious to one having ordinary skill in the art at the time

of the invention to incorporate the teaching of Venkatraman such as said destination

identifier comprises an address identifier indicating an address to which said status

notification is to be sent, said address identifier indicating an address different than

originating address for said message, and a format identifier identifying a format for said

status notification into the system of Xue such that status notification may be delivered

based on the user's notification preferences.

Xue and Venkatraman are silent regarding : creating disposition identifier in response

to disposition event corresponding to a change in message status;

associating said disposition identifier with said message, wherein disposition identifiers

are associated with the message in response to a change in message status;

Doganata discloses a system and method for assigning unique identifier to deleted

unopened original sender e-mail after delivery including : creating disposition identifier

in response to disposition event corresponding to a change in message status (see fig.

1and col. 2, lines 31-42 and col. 2, line 62 to col. 3, line 21)and associating said

disposition identifier with said message, wherein disposition identifiers are associated

with the message in response to a change in message status(see fig. 1and col. 2, lines

31-42 and col. 2, line 62 to col. 3, line 21). Therefore, it would have been obvious to one

having ordinary skill in the art at the time of the invention to incorporate the teaching of

Doganata into the system of Xue and Venkatraman such that disposition or deletion

of electronic message may be appropriately tracked.

As per claim 3, Doganata discloses the method of claim 1, further comprising:

compiling said disposition identifier and said message identifier to create said

status notification in response to a triggering event (see fig. 1and col. 2, lines 31-42 and

col. 2, line 62 to col. 3, line 21);and

communicating said status notification in accordance with said destination

identifier(see fig. 1and col. 2, lines 31-42 and col. 2, line 62 to col. 3, line 21).

As per claim 4, Xue discloses the method of claim 3, further comprising:

(h) billing a party to said message for said providing of said status notification (see col.

2, lines 23-26).

As per claim 5, discloses the method of claim 2, wherein said disposition event

comprises at least one of:

a managing event (see figs. 8A-8E and col. 13, lines 3-14);and

a dispatching event (see figs. 8A-8E and col. 13, lines 3-14).

As per claim 6, Xue discloses the method of claim 5, wherein said managing event

comprises at least one of:

accessing said message,

deleting said message;

presenting an indication of said message (see figs. 8A-8E and col. 13, lines 3-14).

expiring said message', and

terminating a recipient of said message from said communications network.

As per claim 7, Xue discloses the method of claim 5, wherein said managing event

comprises at least one of:

denying said status notification of said message; and

malfunctioning of said status notification of said message (see figs. 8A-8E and col. 13,

lines 3-14).

As per claim 8, Xue discloses the method of claim 5, wherein said dispatching event

comprises at least one of:

forwarding said message(see figs. 8A-8E and col. 13, lines 3-14); and

replying to said message.

As per claim 9, Xue discloses the method of claim 3, wherein said triggering event

comprises at least one of:

said disposition event(see figs. 8A-8E and col. 13, lines 3-14); and

a passage of time (see col. 13, lines 34-44).

As per claim 11, Xue discloses the method of claim 1, wherein said address identifier

comprises at least one of:

an email address(see fig. D8, elements 834-840); and

an access address(see fig. D8, elements 834-840).

As per claim 12, Xue discloses the method of claim 1, wherein said format identifier

comprises at least one of:

an audio format;

a video format;

a text format;

a short message service format(see fig. D8, elements 834-840);and

، a markup language document format.

As per claim 13, Xue discloses the method of claim 1, wherein said communications

network comprises at least one of:

an electronic communications network (see fig. 6);

a text-based communications network;

a telecommunications network',

a video-enabled communications network; and

a multimedia-enabled communications network.

As per claim 14, Xue discloses the method of claim 1, wherein said message identifier

comprises at least one of:

a type identifier;

an alphanumeric identifier (see fig. 8E);

a capabilities identifier; and

an annotation.

As per claim 15, Xue discloses the method of claim 1, wherein said message identifier

comprises at least one of:

a communication network identifier;

a device identifier;

a role identifier;

a party identifier(see fig. 8E);

a date identifier(see fig. 8E);and

a time identifier.

As per claim 16, Xue discloses the method of claim 1, wherein said role identifier

comprises at least one of:

an originator,

a sender;

a caller;

a recipient(see fig. 8E); and

a system administrator.

As per claim 17, Xue discloses the method of claim 15, wherein said party identifier

comprises at least one of:

an email address(see fig. 8E);

an access address;

a voice sample; and

As per claim 18, Xue discloses the method of claim 1, further comprising storing an

attribute for said status notification for said message, wherein said attribute comprises

at least one of:

said message identifier;

said destination identifier(see fig. 8E);

said disposition identifier; and

said status notification(see fig. 8E).

As per claim 19, Xue discloses the method of claim 18, further comprising

administrative functionality, wherein said administrative functionality comprises at least

one of:

deleting said attribute (see fig. 8A and col. 11, lines 58-65);

monitoring said attribute;

moving said attribute;

forwarding said attribute;

selecting said attribute;

archiving said attribute (see col. 8,lines 38-46);

backing up said attribute;

informing a recipient of said attribute; and

blocking said attribute.

As per claims 20-38, the claims include limitations similar to those of claim 1-19, thus

claims 20-38 are rejected same rational as claims 1-19.

As per claims 39-41, Xue discloses the system of claim 37, further comprising a data

repository operative to store said attribute (see 8, lines 38-60).

As per claims 42-50, and 52-53, the claims include limitations similar to those of claim

1-19, thus claims 42-50, and 52-53, are rejected same rational as claims 1-19.
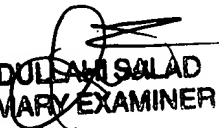

As per claim 54-57, Xue discloses the system of claim 42, further comprising:

a service switching point functionality connected to said intelligent peripheral; and

an interface functionality connected to a service switching point and operative to

accept communications from a second communications network (see fig. 6 and col. 11,

lines 1-30).

Conclusion

1.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

2.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-272-4009.**

3.   Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

As
7/24/2006

ABDULLAHI SALAD
PRIMARY EXAMINER